IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5605 OF 2005

Hareshwar Pandurang Tandel. .. Petitioner.

vs.

State of Maharashtra

& Ors. .. Respondents.

Mr. M.M. Morje for petitioner.

Mr. Ambar Joshi with A.L. Kumar & Deepti B. Mistry for respondent no.6.

CORAM : S.U. KAMDAR, J.

DATE : 18th November, 2005.

P.C.:

. Both parties to the present petition have arrived at consent order as under :-

2. That the petitioner shall pay a sum of Rs. 35,000/- which will be inclusive of arrears of the society charges upto 30.3.2003 and also the transfer charges necessary for transferring the premises in his name. He also makes a statement that he will also make further payments of arrears of the society towards outgoings from 1.4.2003 upto date. The said

payment will be made by him within a period of 8 weeks from today. The learned counsel for the respondent society states that he also requires to obtain a Collector's NOC since the land belongs to the Government. The learned counsel for the petitioner states that he will produce such certificate , if necessary, and produce by other members also.

3. If the aforesaid amount is paid, the learned counsel appearing for respondent no. 6 society will effect transfer of the premises in the name of the petitioner from the name of the original member. If the aforesaid amount is not paid then the respondent no. 6 society will not be bound by this order and will be entitled to recover full arrears as payable. Petition disposed of accordingly. There shall be no order as to costs.

. Parties to act on an ordinary copy of this order duly authenticated by the Private Secretary of this Court.